

State of Montana
Department of Labor & Industry
Brian Schweitzer, Governor

Employment Relations Division



Safety and Health Bureau

March 9, 2005

Mr. Don Michalsky
Technical Education Specialist
Montana Office of Public Instruction
Helena, MT 59620

Dear Mr. Michalsky:

In the process of our carrying out the tenants of the Montana Safety Act (MCA 50-71) our inspectors have noted several instances of students enrolled in various shop-related classes who are not equipped with the appropriate personal protective equipment (PPE). In particular, it has been noted with students engaged in constructing the model homes that have become popular in several school districts across Montana. One excuse we have heard from teachers, for example, is that students are not allowed to wear appropriate hearing protection because they cannot hear instructions.

While our jurisdiction extends only to the teachers and instructors of those courses, we feel it is incumbent upon those same teachers to instill in their students a culture of safety that they would carry with them into their adult lives when they will enter one of the trades. The students should be required to employ standard PPE as part of their instruction.

My purpose in calling this to your attention is to encourage you to direct your instructors to follow the basic safety-related practices required in the particular industry they are teaching to your students. The Montana Safety Culture Act, passed by the Montana Legislature in 1993, included in 39-71-1504 the following:

39-71-1504. Safety programs -- educational activities. (1) To promote health and safety in places of employment in this state:

(b) the department, relying upon the support and assistance of concerned private entities or other governmental agencies, shall produce and distribute material to the schools of Montana and provide guest speakers intended to:

- (i) educate students about the necessity for safe work practices;*
- (ii) prepare students to embark on accident-free careers;*

Please be aware that our staff is available to assist you and your teachers in complying with the appropriate PPE requirements for the various trades offered in your districts. We will certainly appreciate your cooperation and invite you to contact us should you have questions. Your calls should be directed to Sandra Mihalik at 444-6418.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Maloney".

John Maloney, Chief
Safety & Health Bureau

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